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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 BRADLEY TUBIN,

12 Defendant.

2:10-CR-275-RFB-GWF

**Amended Final Order of Forfeiture**

13 This Court found that defendant Bradley Tubin shall pay the criminal forfeiture  
14 money judgment of \$745,000 in United States Currency pursuant to Fed. R. Crim. P.  
15 32.2(b)(1) and (2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. §  
16 982(a)(2)(A); and 21 U.S.C. § 853(p). Superseding Criminal Indictment, ECF No. 19;  
17 Change of Plea, ECF No. 70; Plea Agreement, ECF No. 71; Order of Forfeiture, ECF No.  
18 73.

19 The United States District Court for the District of Nevada sentenced Bradley Tubin  
20 and entered the sentencing Order of Forfeiture with a criminal forfeiture money judgment of  
21 \$745,000 in United States Currency pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); 18  
22 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. § 982(a)(2)(A); and 21 U.S.C. §  
23 853(p). Sentencing Minutes, ECF No. 94; Sentencing Order of Forfeiture, ECF No. 93.

24 The United States District Court for the District of Nevada entered the Judgment in  
25 a Criminal Case on Bradley Tubin with the Sentencing Order of Forfeiture (ECF No. 93)  
26 attached. Judgment in a Criminal Case, ECF No. 95.

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1 **SUBSTITUTION - 2004 Ferrari 360 Spider**

2 The United States filed a Sealed Ex Parte Motion to File this Motion and the Sealed  
3 Ex Parte Motion to Substitute and to Forfeit Property of Bradley Tubin under Seal and  
4 Motion to Unseal and Order (ECF No. 98) along with the Sealed Ex Parte Motion to  
5 Substitute and to Forfeit Property of Bradley Tubin (ECF No. 99) to be used towards  
6 satisfaction of Bradley Tubin's criminal forfeiture money judgment. This Court entered the  
7 order granting the United States' motion to seal and unseal (ECF No. 100) and the  
8 Substitution and Forfeiture Order (ECF No. 101) authorizing the substitution and forfeiture  
9 of the following asset pursuant to 21 U.S.C. § 853(p): a 2004 Ferrari 360 Spider, blue in  
10 color, Vehicle Identification Number ZFFYT53A240136276, Utah license plate  
11 MYBABLU (property).

12 The Federal Bureau of Investigation took the property into custody (ECF No. 102).  
13 After the property was taken into custody and the United States filed the Notice of Filing  
14 Service of Process (ECF No. 102) showing that the property was taken into custody, the  
15 sealed motions and the Substitution and Forfeiture Order were automatically unsealed per  
16 the Order granting the Motion to Seal and Unseal (ECF No. 100) so that the proper parties  
17 could be served.

18 On October 16, 2015, Bradley Tubin was personally served with the two motions,  
19 the Substitution and Forfeiture Order, and the Notice. Notice of Filing Service of Process,  
20 ECF No. 102.

21 On November 3, 2015, FDIC as Trustee for Washington Mutual, c/o The  
22 Corporation Trust Company of Nevada as Registered Agent, 701 S. Carson Street, Suite  
23 200, Carson City, Nevada 89701 was served by regular and certified return receipt requested  
24 mail tracking number 7015 1520 0001 4971 5657 with the two motions, the Substitution and  
25 Forfeiture Order, and the Notice. Notice of Filing Service of Process, ECF No. 106.

26 On November 3, 2015, FDIC as Trustee for Washington Mutual, FDIC Restitution  
27 Payments, P.O. Box 971774, Dallas, Texas 75397 was served by regular and certified return  
28 receipt requested mail tracking number 7015 1520 0001 4971 5633 with the two motions,

1 the Substitution and Forfeiture Order, and the Notice. Notice of Filing Service of Process,  
2 ECF No. 106.

3 On November 3, 2015, Bank of America, NA, c/o Legal Processing Center,  
4 Registered Agent, P.O. Box 15074, Wilmington, Delaware 19850 was served by regular and  
5 certified return receipt requested mail tracking number 7015 1520 0001 4971 5640 with the  
6 two motions, the Substitution and Forfeiture Order, and the Notice. Notice of Filing Service  
7 of Process, ECF No. 106.

8 On November 3, 2015, Bank of America, NA, c/o Brian Moynihan, Chairman and  
9 CEO, 100 N. Tryon Street, Charlotte, NC 28255 was served by regular and certified return  
10 receipt requested mail tracking number 7015 1520 0001 4971 5619 with the two motions,  
11 the Substitution and Forfeiture Order, and the Notice. Notice of Filing Service of Process,  
12 ECF No. 106.

13 The United States filed and this Court granted its Motion for an Interlocutory Order  
14 of Sale of the 2004 Ferrari 360 Spider (ECF Nos. 103-105).

15 This Court finds the United States of America published the notice of forfeiture in  
16 accordance with the law via the official government internet forfeiture site,  
17 www.forfeiture.gov, consecutively from November 21, 2015, through December 20, 2015,  
18 notifying all potential third parties of their right to petition the Court. Notice of Filing Proof  
19 of Publication, ECF No. 107.

20 **SUBSTITUTION - Fidelity Individual Retirement Account Number XXXXX4463**

21 The United States filed a Sealed Ex Parte Motion to File this Motion and the Sealed  
22 Ex Parte Second Motion to Substitute and to Forfeit Property of Bradley Tubin under Seal  
23 and Motion to Unseal and Order (ECF No. 113) along with the Sealed Ex Parte Second  
24 Motion to Substitute and to Forfeit Property of Bradley Tubin (ECF No. 114), the Sealed  
25 Notice of Errata attaching Proposed Second Amended Substitution and Forfeiture Order  
26 (ECF No. 118), and the Sealed Notice of Errata attaching Second Amended Substitution  
27 and Order (ECF No. 119) to be used towards satisfaction of Bradley Tubin's criminal  
28 forfeiture money judgment. This Court entered the order granting the United States' Sealed

1 Ex Parte Motion to File this Motion and the Second Motion to Substitute and to Forfeit  
2 Property of Bradley Tubin Under Seal and Motion to Unseal and Order (ECF No. 115), the  
3 order granting the Second Substitution and Forfeiture Order (ECF No. 116), and the  
4 Motion to Unseal and Order (ECF Nos. 124 and 126) authorizing the substitution and  
5 forfeiture of the following asset pursuant to 21 U.S.C. § 853(p): Fidelity Individual  
6 Retirement Account, located at Fidelity Investments, 2225 Village Walk Drive, Ste. 199,  
7 Henderson, Nevada 89052, account number XXXXX4463, held in the name of Bradley  
8 Tubin, SSAN XXX-XX-4296, which had a balance of \$2,528.18 (property).

9 The Federal Bureau of Investigation took the property into custody (ECF No. 120).  
10 After the property was taken into custody and the United States filed the Notice of Filing  
11 Service of Process (ECF No. 120) showing that the property was taken into custody, the  
12 sealed motions and the Substitution and Forfeiture Order were automatically unsealed per  
13 the Order granting the Motion to Seal and Unseal (ECF No. 126) so that the proper parties  
14 could be served.

15 This Court finds the United States of America published the notice of forfeiture in  
16 accordance with the law via the official government internet forfeiture site,  
17 [www.forfeiture.gov](http://www.forfeiture.gov), consecutively from August 26, 2018, through September 24, 2018,  
18 notifying all potential third parties of their right to petition the Court. Notice of Filing Proof  
19 of Publication, ECF No. 135.

20 On September 19, 2018, Bradley Tubin was personally served with the two motions,  
21 the Sealed Ex Parte Second Motion to Substitute and to Forfeit Property and Forfeiture  
22 Order, and the Notice and the Second Substitution and Forfeiture Order. Notice of Filing  
23 Service of Process, ECF No. 136.

24 This Court finds no petition was filed herein by or on behalf of any person or entity  
25 and the time for filing such petitions and claims has expired.

26 This Court finds no petitions are pending with regard to the assets named herein and  
27 the time for presenting such petitions has expired.

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1           THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
2 all possessory rights, ownership rights, and all rights, titles, and interests in the property  
3 hereinafter described are condemned, forfeited, and vested in the United States of America  
4 pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. §  
5 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. § 982(a)(2)(A); and 21 U.S.C. § 853(n)(7)  
6 and (p) and shall be disposed of according to law: \$75,500 in United States Currency in lieu  
7 of the 2004 Ferrari 360 Spider, blue in color, Vehicle Identification Number  
8 ZFFYT53A240136276, Utah license plate MYBABLU and Fidelity Individual Retirement  
9 Account, located at Fidelity Investments, 2225 Village Walk Drive, Ste. 199, Henderson,  
10 Nevada 89052, account number XXXXX4463, held in the name of Bradley Tubin, SSAN  
11 XXX-XX-4296, which had a balance of \$2,528.18 which the net proceeds after costs and  
12 expenses will be applied towards the criminal forfeiture money judgment of \$745,000 in  
13 United States Currency.

14           This Court finds that the United States of America may amend this order at any  
15 time to add subsequently located property or substitute property to the forfeiture order  
16 pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

17           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all  
18 forfeited funds, including but not limited to, currency, currency equivalents, certificates of  
19 deposit, as well as any income derived as a result of the United States of America's  
20 management of any property forfeited herein, and the proceeds from the sale of any  
21 forfeited property shall be disposed of according to law.

22           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
23 copies of this Order to all counsel of record and three certified copies to the United States  
24 Attorney's Office, Attention Daniel D. Hollingsworth, Asset Forfeiture Unit.

25           DATED this 10th day of February, 2019.

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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

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**First Class Mail:**  
Bradley Tubin  
3045 S. Maryland Parkway, #339  
Las Vegas, NV 89109

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